




MEMORANDUM

DATE: September 24, 2008
For October 9, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: SPECIAL EXCEPTION LAND USE – URBAN PLANNING AND DESIGN
REPORT
SE-08-32 Verizon – 22nd Street, C-2 Zone (Ward 4)

Issue – This is a request by Todd Daoust, on behalf of the property owners, Autocare 22 Associates LLC, for approval of a wireless communication facility. The special exception site is located east of Pantano Road on the south side of 22nd Street (see Case Location Map). The preliminary development plan (PDP) proposes to extend an existing wireless communication tower from 50 feet to 64 feet 3 inches to co-locate six, flush-mounted antennas and install ground equipment. A communications use of this type is subject to Section 3.5.4.20.F.2 of the *Land Use Code (LUC)*.

3.5.4.20 Communications.

F. The following requires approval as a special exception through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. The Zoning Examiner may forward the request to the Design Review Board (DRB) for design review and recommendation. (Ord. No. 9967, §3, 7/1/04)

2. Wireless communication antennae, provided:

- a. The antennae are mounted on a new tower and the tower and antennae are concealed or disguised, or the antennae are collocated on an existing structure.
- b. The tower and antennae are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.
- c. A new tower is set back at least two (2) times the height of the structure from the boundary of any property zoned residential or office.
- d. The tower and antennae are eighty (80) feet or less in height.

A public hearing before the Zoning Examiner is required. The Zoning Examiner will render a decision to grant the use with or without conditions, or to deny the use.

Department of Urban Planning and Design Recommendation – The Department of Urban Planning and Design recommends approval of the special exception land use, subject to the attached preliminary conditions.

Background Information

Existing Land Use: automotive repair

Surrounding Zones and Land Uses:

North: Zoned C-2; currently under development for automotive repair

South: Zoned C-3; ADOT Motor Vehicle Division

East: Zoned C-3; commercial

West: Zoned C-2; self-storage

Previous Case on the Property:

SE-03-20 T-Mobile – 22nd Street, C-2 Zone A special exception land use request for the installation of a new 50-foot high wireless communications monopole with associated ground equipment. On August 22, 2003, the Development Services Director approved the special exception land use request.

Related Cases:

SE-02-26 AT&T – 22nd Street, C-2 Zone A special exception land use request for the installation of a new 50-foot high wireless communications monopole with associated ground equipment. On October 28, 2002, the Development Services Director approved the special exception land use request.

SE-06-39 Cingular – Diamond Street, I-1 Zone A special exception land use request for the installation of an 80-foot high wireless communications monopole with associated ground equipment. On October 31, 2006, the Development Services Director approved the special exception land use request.

Applicant's Request – The applicant requests approval to allow for the extension of an existing wireless communication tower from 50 feet to 64 feet 3 inches in height in order to co-locate six, flush mounted antennas and install associated ground equipment.

Planning Considerations

Land use policy direction for this area is provided by the *Pantano East Area Plan (PEAP)* and the *General Plan*. The City of Tucson's *Design Guidelines Manual* lends additional design guidance. The *PEAP* supports the requested land use when the use is located on an arterial street and the proposed use is integrated with other commercial uses. The *General Plan* states that utility firms are to improve the appearance of necessary above ground utility lines and structures. The *PEAP* and the *General Plan* also support the requested land use when design elements and

buffering techniques are employed to mitigate the potential negative impacts of more intense development on established neighborhoods.

The existing monopole is located at the southeast corner of the subject property and surrounded by commercial uses. Vehicular access to the monopole is provided via an existing driveway from 22nd Street. Twenty-second Street, identified as an arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes Plan* map, is north of the special exception site. Pantano Road, located approximately 1,780 feet to the west, is identified as an arterial roadway with a future right of way width of 150 feet. Sarnoff Drive, identified as a collector street with a future right of way width of 90 feet is located approximately 1,000 feet to the east.

The proposed extension of the monopole will not generate any additional vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Land Use Compatibility – The existing monopole is approximately 410 feet south of 22nd Street in an area that is primarily associated with commercial uses. There are no residential uses in the immediate vicinity. The application indicates that the 15-foot extension of the monopole is necessary for the required separation between antennas. The proposed six panel antennas will be attached at the 61-foot level of the extended monopole. The antennas will be flush mounted to help minimize visual impacts. Staff will also recommend that the monopole be painted with non-reflective paint to further improve the appearance of the above ground utility structure.

The request also includes the installation of a self-contained electronics cabinet and an emergency generator to be located within a 768 square-foot lease area. The applicant proposes to enclose the lease area with an eight-foot high slatted, chainlink fence. The existing block wall along the south and east lot lines provides additional screening.

Drainage/Grading/Vegetation – The monopole is located on a developed property and is not located in a regulatory floodplain or within a balanced/critical basin. No additional landscaping is proposed with this project. Staff will recommend that trees and drought-tolerant vegetation be provided around the perimeter of the equipment enclosure.

Road Improvements/Vehicular Access/Circulation – Access to the monopole and equipment area is provided through the existing driveway from 22nd Street. The area of the existing monopole and proposed equipment compound does not appear to be paved. The required technician parking space is not identified on the PDP. This will need to be shown on the development plan at the time of submittal.

Performance Criteria – The applicant’s proposal requires approval as a special exception land use through a Zoning Examiner Full Notice Procedure, and must meet the following performance criteria as stated in Section 3.5.4.20.F.2 of the *LUC*. Following each criterion, in italics, are the applicant’s response regarding compliance.

3.5.4.20.F.2. Wireless communication antennae, provided:

- a. The antennae are mounted on a new tower and the tower and antennae are concealed or disguised, or the antennae are collocated on an existing structure.

Comment: The proposed antennas are collocated on an existing structure.

- b. The tower and antennae are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.

Comment: The extension of the existing monopole with flush-mounted antennas will minimize the visual mass of the facility, and is compatible with the commercial uses of the area.

- c. A new tower is set back at least two (2) times the height of the structure from the boundary of any property zoned residential or office.

Comment: The existing monopole is surrounded by commercial zoning.

- d. The tower and antennae are eighty (80) feet or less in height.

Comment: The tower and the proposed extension will not exceed 65 feet in height.

Staff comment: The proposal is in compliance with the LUC Performance Criteria for the special exception land use.

Conclusion – The special exception request for a 15-foot extension to the existing monopole to accommodate six new antennas with associated ground equipment can be supported and is in general compliance with applicable policy and the intent of the *General Plan*, the *Pantano East Area Plan*, and the performance criteria. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated August 7, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8 of the *Land Use Code*.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled “Agreement to Waive Any Claims Against the City for Special Exception Land Use”.
3. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
4. “Safe by Design” concepts shall be incorporated in the development plan for review by the Tucson Police Department.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception land use.

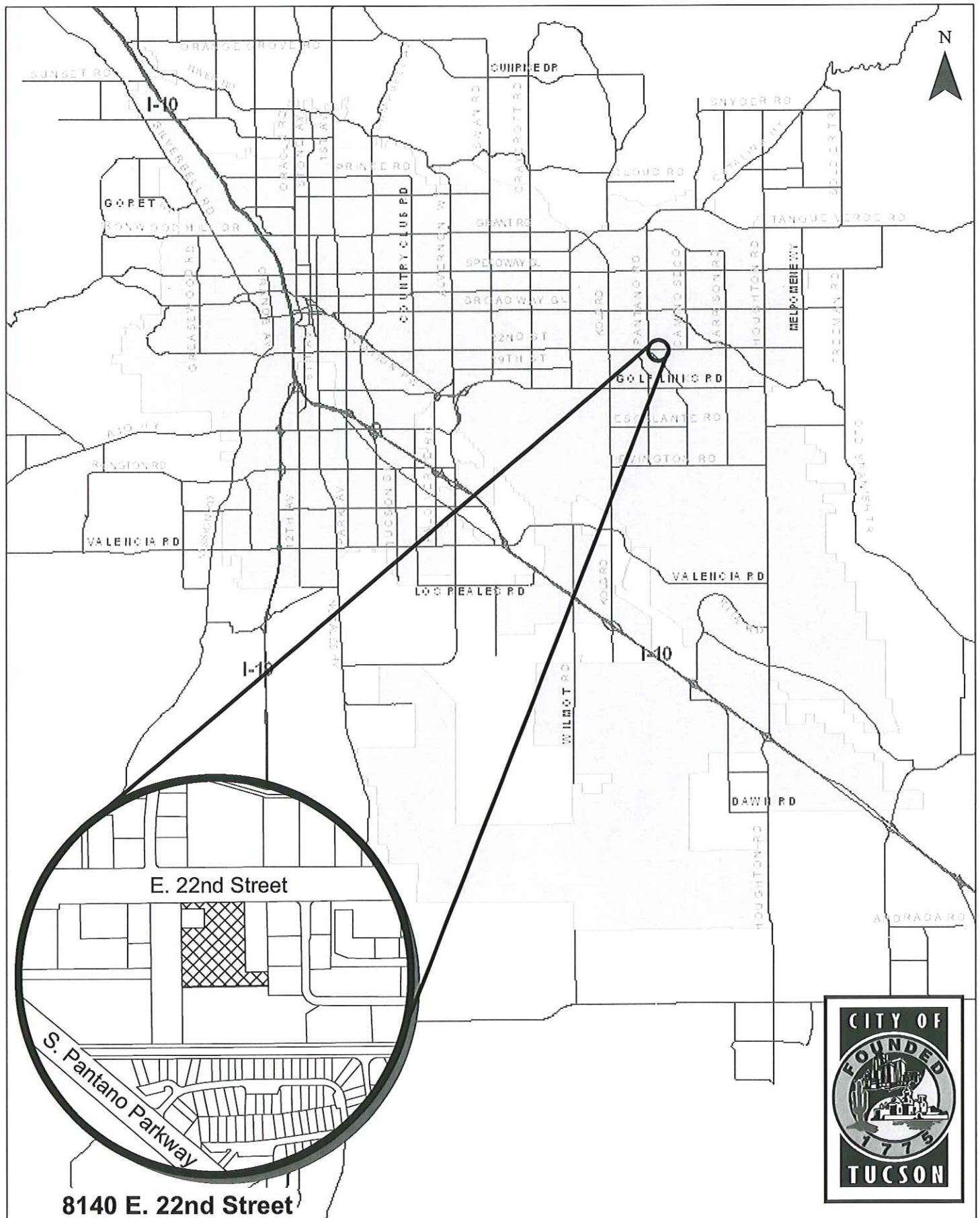
LAND USE COMPATABILITY

6. The maximum height to the top of the new antennas shall not exceed sixty-five feet.
7. The monopole shall be painted with non-reflective paint tones.
8. The six antenna panels, not to exceed six-feet and six-inches in height, shall be flush mounted at the sixty-one foot RAD center of the monopole.

DRAINAGE/GRADING/VEGETATION

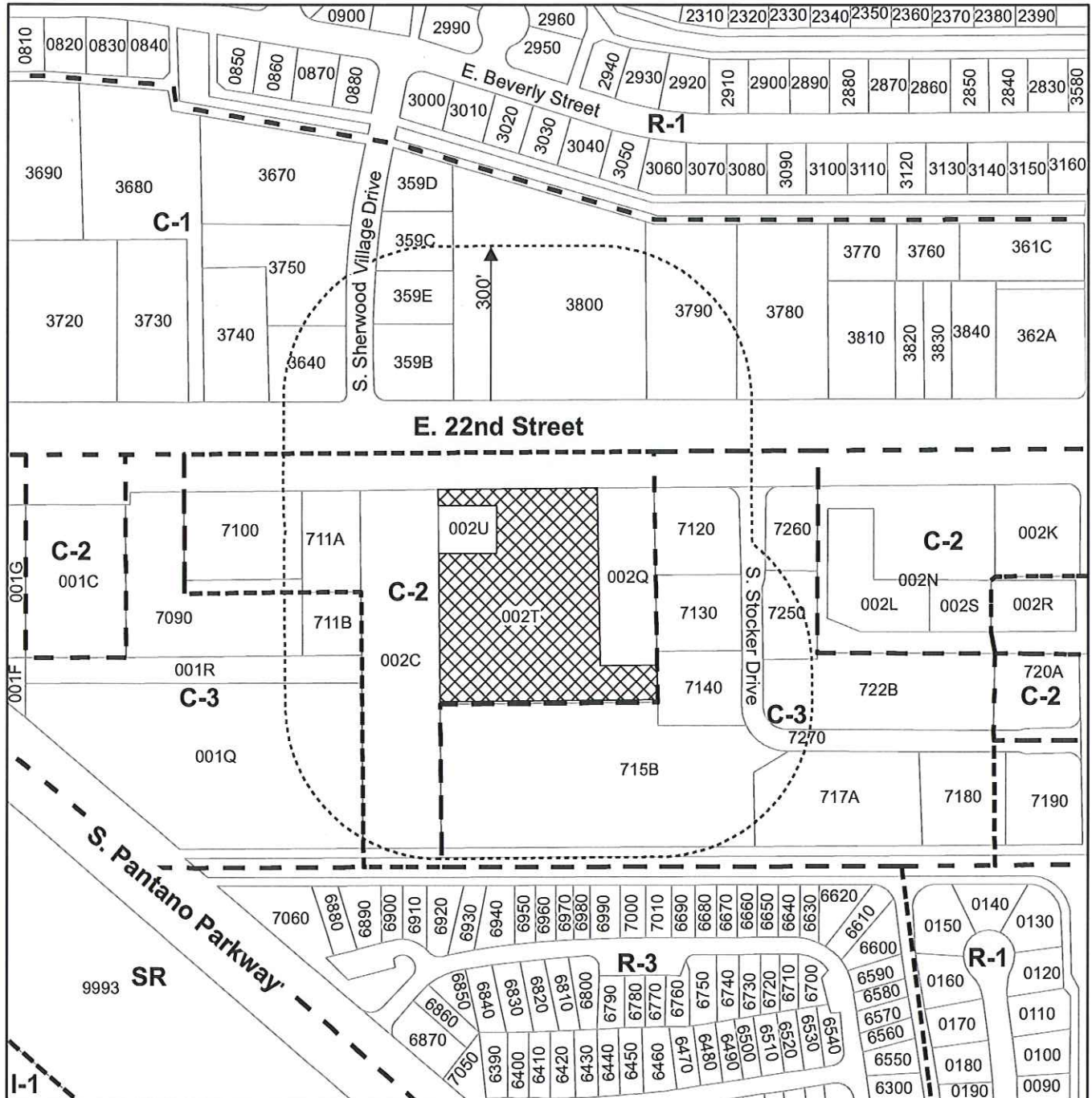
9. The equipment compound shall include exterior landscaping that will consist of trees and drought tolerant vegetation.

SE-08-32 Verizon at Pantano Parkway - 22nd Street



SE-08-32 Verizon at Pantano Parkview - 22nd Street


Special Exception - Full Notice Procedure



0 150 300
Feet
1 inch = 300 feet

 Area of Special Exception Request

C-2 Zoning of Requested Area

 Notification Area (300 foot radius)

 Zone Boundaries

Neighborhood, Area Plan(s): Pantano East Area Plan
Address: 8140 E 22nd Street
Base Maps: Sec.21 T.14 R.15
Ward: 4



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SE-08-32 Verizon at Pantano Parkview - 22nd Street
September 2008 Aerial

